

11/22

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - NOVEMBER 26, 2002

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A.M. - PRETRIAL CONFERENCES

Via RALPH DENTON 7-98-03722 Smith/S
A/P 7-02-00139: Violation of Discharge Injunction
Debtor v. John & Jane Brooks ()

Copeland WALTER MCKINNON-ch7 98-04022 Smith/SJ
W. Alan Smith Jr. Trustee Motion to Sell Property and Shorten
Notice* ***motions and notice received 11/15 with Trustee's Notice
of Intent to Sell Smythe Co property (bid attached)*** (Shortridge)
(*needed hearing date prior to date contract for sale expires)

10:00 A. M. - MISCELLANEOUS HEARINGS

Bragg/
Leonard MARK & SONDR A ROSE - Ch. 7 7-02-01362 Wick/SJ
A/P No. 7-02-00092: Complaint to determine dischargeability
Coal Age, Inc. (Harman) v. Mark Rose
—***summary judgment motion of defendant***
RESPONSE filed by Debtor to Plaintiff's First Interrogatories & Request
for Production of Documents [d/e # 10]

Snodgrass JAMES & SANDRA NICKELS-ch7 7-02-02883 Wick/PR
Moton #1: Avoid lien filed 10/4; d/e # 13, 14
Debtors v. Wachovia Bank NA

10:00 A. M. - MISCELLANEOUS HEARINGS

Farthing	GARY & MARY CATRON - Ch. 7	7-02-03842	Callahan/SJ
	Motion # 1: Avoid lien filed 10/21 [d/e # 11]		
	Debtors v. Beneficial Discount Co. of Va. (Commonwealth Legal Services Corp.) ()		

Farthing	RONALD, JR., & KIMBERLY CRIGGER - Ch. 7	7-02-03651	Wick/VS
	Motion # 1: Relief		
	Citizens Auto Finance (Fogleman) v. Debtors & Trustee		
	–ORDER of 11/15 granted relief		

Carmody	WALTER CORDLE-ch7	7-02-03744	Wick/SO
	Motion #1: Relief - filed		
	Bank of Tazewell County (F. Harman) v. debtor & trustee		
	–ORDER (agreed) of 11/21 granted relief		

Jessee	LEROY M. HULL CO., INC. - Ch. 7	7-01-03786	Wick/JJ
	Debtor's Motion for approval of settlement on claim of preference re		
	A/P 7-01-00168 styled Debtor v. Bush Hog, L.L.C. (Bradwell) <i>proposed</i>		
	<i>order (photocopy) attached to motion; orig of mot. In case file/ cc: in AP</i>		

Bowman	LORETTA MARSHALL - Ch. 7	7-02-03682	Wick/SJ
	Motion # 1: Relief–filed 10/28 [d/e # 12]		
	Homecomings Financial Network (McQuiddy) v. Debtor & Trustee		

10:00 A. M. - MISCELLANEOUS HEARINGS

Kendrick	DONNA CHAPMAN - Ch. 7	7-02-03107	Wick/NS
	Motion # 1: Relief–filed 10/29 [d/e # 16]; certification filed 11/8 [d/e # 18] Bank One/Valley National (Neyhart) v. Debtor & Trustee –ORDER of 11/14 granted relief, cancels hearing		
F Harman	MICHELLE RICE-ch7	7-02-03100	Wick/SO
	Motion #1: Relief - filed 10/30, D/e # 15, 17 DaimlerChrysler Services NA LLC (Higgs) v. debtor & trustee –ORDER of 11/19 (default) granted relief		
Jackson	BRAD & VICKI CROUSE-ch7	7-02-03782	Callahan/SJ
	Motion #1: Relief - filed 11/1; d./e # 13, 14, 15 Arcadia Financial Ltd (Sublette) v. debtors & trustee		
Snodgrass	CYNTHIA POFF - Ch. 7	7-02-03749	Wick/S
	Motion # 1: Relief–filed 11/1 Bank of Tazewell Co. (Harman) v. Debtor & Trustee		
Carroll	DONALD & SHARON COMPTON-ch7	7-02-03278	Wick/AF
	Motion #1: Relief - filed 11/5; d/e # 13, Wachovia Bank NA (Mason) v. debtors & trustee <i>–proposed consent ord in file – trustee hasn't endorsed as yet</i>		

10:00 A. M. - MISCELLANEOUS HEARINGS

Largen	RANDALL & CANDIE SKEENS - Ch. 7 Motion # 1: Relief--filed 11/6 [d/e # 54] Tri Cities Finance (Copeland) v. Debtors & Trustee	7-01-05174	Callahan/NS
Snodgrass	JAMES STANLEY-ch7 Motion #1: Relief - filed 11/6; d/e # 10, 11 JP Morgan Chase Bank (Maxwell) v. debtor & trustee -ORDER (Agreed) of 11/22 cancels hearing	7-02-04063	Wick/PR
Timoney	CHADWICK & JENNIFER MARSHALL-ch7 Order to showcause why case should not be dismissed; failure of debtors to pay original Chapter 13 filing fee, 11/1, d/e # 67	7-01-04650	Callahan/SL
Copeland/ Antenucci	COVER GIRL SEEDING INC-ch7 Motion for Compensation of counsel for Trustee (King & Higgs) successor to King, Higgs & Callahan in the amount of \$747.00 and \$21.35 expenses [d/e #37, 38, 39, 42] Objection: U. S. Trustee (Garber) filed 11/20; d/e # 45	7-00-01332	Callahan/SJ
Carroll	GERALDINE STREET-ch7 Motion for Compensation of counsel for Trustee (King & Higgs) successor to King, Higgs & Callahan of \$2,466.50 & \$97.46 expense d/e #'s 62 to 65 Objection: U. S. Trustee (Garber) filed 11/20; d/e # 72	7-00-01647	Callahan/NS

10:00 A. M. - MISCELLANEOUS HEARINGS

Money	TAMMY MCCREADY-ch7	7-00-02121	Callahan/VS
	Motion for Compensation of counsel for Trustee (King & Higgs) successor to King, Higgs & Callahan of \$2,539.50 and \$103.58 expense d/e's 67 to 70)		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 72		
Fleenor	MARY PARNELL-ch7	7-01-01102	Callahan/SJ
	Motion for Compensation of counsel for Trustee (King & Higgs) successor to King, Higgs & Callahan of \$1,379.00 & \$61.64 expense (d/e #34 to 37)		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 39		
Cody	WILLIAM & TERESA JOHNSON-ch7	7-01-02547	Callahan/NS
	Motion for Compensation of counsel for Trustee (King & Higgs) successor to King, Higgs & Callahan of \$1,171.50 & \$165/44 expense (d/e # 63, 64, 65, 66)		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 68		
Via	SHIRLEY CARTER-ch7	7-01-01976	Callahan/JJ
	Motion for Compensation of counsel for Trustee (King & Higgs) successor to King Higgs & Callahan in the amount of \$1,875.00 and \$51.14 expenses [d/e # 48, 49, 50, 51]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 53		
(None)	GARY & ANGELA ROSENBAUM - Ch. 7	7-00-04193	Callahan/PR
	Motion for Compensation of counsel for Trustee (King & Higgs) successor to King Higgs & Callahan in the amount of \$1,398 fees and \$85.29 expenses [d/e ## 43, 44, 45, 47]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 49		
Abingdon Calendar - 11/26/02			

10:00 A. M. - MISCELLANEOUS HEARINGS

Martin	JENNIFER HAZELWOOD - Ch. 7	7-00-00183	Callahan/PR
	Motion for Compensation of counsel for Trustee (King & Higgs , successor to King, Higgs & Callahan) in the amount of \$3,085.50 fees and \$189.10 expenses [d/e # 61 - 64]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 66		
Fleenor	DONALD BARRETT - Ch. 7	7-01-01093	Callahan/PR
	Motion for Compensation of counsel for Trustee (King & Higgs, successor to King, Higgs & Callahan) in the amount of \$1,157.50 fees and \$203.59 expenses [d/e # 55 - 58]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 60		
(None)	GRAYSON MOUNTAIN WATER COMPANY	7-01-03363	Wick/PR
	Motion for Compensation of counsel for Trustee (King & Higgs, successor to King Higgs & Callahan) in the amount of \$17,150 fees & expenses of \$1,678.08 [d/e ## 135, 136, 137 & 139]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 143		
Carmody	WILLIAM & MARGARET ENLOW - Ch. 7	7-01-02022	Callahan/SJ
	Motion for Compensation of counsel for Trustee (King & Higgs successor to King, Higgs & Callahan) in the amount of \$1,028 & expenses of \$345.77 [d/e ## 78, 79, 80, 82]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 84		
Gifford	BURKE MOUNTAIN COAL CO., INC. - Ch. 7	7-98-01015	Callahan/SL
	Motion for Compensation of counsel for Trustee fees (King & Higgs, successor to King, Higgs & Callahan, (<i>amts not docketed</i>) [d/e # 149 - 152]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 154		

Abingdon Calendar - 11/26/02

10:00 A. M. - MISCELLANEOUS HEARINGS

Jessee	DESKINS DRYGOODS CO., INC. - Ch. 7	7-99-03385	Callahan/SL
	Motion for Compensation of counsel for Trustee fees (King & Higgs, successor to King, Higgs & Callahan, (<i>amts not docketed</i>) [d/e # 147 - 150]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 152		
Jessee	DESKINS SUPERMARKET, INC. - Ch. 7	7-99-03384	Callahan/AF
	Motion for compensation of counsel for Trustee fees (King & Higgs, successor to King, Higgs & Callahan) in the amount of \$4,422 and expenses of \$895.07 [d/e # 304, 306, 307]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 310		
Proctor	DOUGLAS KURT PRUITT - Ch. 7	7-01-03088	Callahan/AF
	Motion for compensation of counsel for Trustee fees (King & Higgs, successor to King, Higgs & Callahan) in the amount of \$840.00 & expenses of \$120.11 [d/e # 60, 62, 64]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 67		
Money	JOSEPH FRANCIS - Ch. 7	7-01-00208	Callahan/AF
	Motion for compensation of counsel for Trustee fees (King & Higgs. Successor to King, Higgs & Callahan) in amt of \$1,096 & expenses of \$97.35 [d/e # 34, 36, 38]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 40		
Welch	PAUL & LYNN NESTER - Ch. 7	7-00-00238	Callahan/AF
	Motion for compensation of counsel for Trustee (King & Higgs, successor to King Higgs & Callahan) in the amt of \$1,650.45 & \$194.01 expenses [d/e # 71, 73, 74]		
	Objection: U. S. Trustee (Garber) filed 11/20; d/e # 76		

Abingdon Calendar - 11/26/02

10:00 A. M. - MISCELLANEOUS HEARINGS

Antenucci C & O MINING, INC. - Ch. 7 7-00-03324 Callahan/SJ
Motion for Compensation of counsel for trustee (King & Higgs , successor to King
Higgs & Callahan) in amt of \$1,355 fees & \$141.92 expenses [d/e # 36, 38, 39]
Objection: U. S. Trustee (Garber) filed 11/20; d/e # 41

11:00 A. M. - MISCELLANEOUS HEARINGS

Copeland EDGAR & HATTIE SHAFFER - Ch. 11 7-01-04468 DIP/AF
Motion in Limine of U. S. Trustee AND Motion to Dismiss or Convert Case, d/e # 85,
heard 10/1 and 10/16; contd from 10/16 and TUA with Motion to be granted to dismiss
case IF debtors fail to comply with stipulations of continuance order of 10/17, d/e # 95

Motion to Incur Debt filed 11/18 with Motion to Shorten Notice & Notice of hearing
d/e # 98

Copeland BEAR RIDGE MINING-chll 7-00-00708 DIP/AF
Motion of U. S. Trustee to Convert to Chapter 7 (Garber) filed 11/1; d/e # 169

1:00 P.M. - CONFIRMATION HEARINGS

Copeland DAVID & AMELIA RUTHERFORD 7-01-02194 Widener/S
Mod Plan (4th) filed 10/2, d/e # 60 ;
Trustee's Report w/Objection & Show Cause on Dismissal/Conversion [d/e # 63]
5th Amended Plan filed 10/25; d/e #64 set for 12/11@1:00

Hutchinson DANNY & DEBRA BLEVINS 7-01-00407 Widener/NS
Mod Plan filed 10/2; d/e # 24, 25
Trustee Report OBJECTION and Motion to Dismiss/Convert; filed 10/10; d/e # 27

Abingdon Calendar - 11/26/02

1:00 A. M. - CONFIRMATION HEARINGS

Graham	BARRY CREGGER	7-02-02388	Widener/AF
	Mod Plan filed 10/7 , d/e # 28 , 29		
	Trustee Report and Show Cause on Dismissal or Conversion filed 8/7 [# 17]		
	Report, OBJ and showcause dismiss/convert; filed 10/2; d/e # 27 <i>contd fr 10/15</i>		
	-CONVERTED to CH 7 on Motion of debtor on 10/23/02		
Timoney	LISA ODELL-ch	7-01-03139	Widener/PR
	Mod Plan filed 10/4; d/e # 23, 24		
	Objection of Trustee, and Showcause on Dismissal or conversion filed 11/20; d/e # 27		
Copeland	BRIAN MITCHELL	7-01-03831	Widener/VS
	Mod plan filed 11/23, d/e # 30, contd from 2/27,3/27,6/5 & 8/7 (<i>re: IRS issues</i>); d/e # 64		
	Obj: Trustee w/showcause: dismiss or convert, filed 10/24, d/e # 21 contd fr 12/10 & 1/3		
	Objection: IRS (Fogg) filed 12/3, d/e # 33, d/e # 59		
	CitiCapital Commercial (Sheets) filed 10/17; d/e # 20;		
Largen	TERRY HOLLIDAY-chl3	7-02-02730	Widener/PR
	Mod Plan filed 10/15, d/e # 19, 20		
	Trustee Report, Objection and Showcause: Dismiss/convert, filed 10/2, d/e # 17, <i>contd fr 10/30</i>		
Timoney	MICHAEL AKERS	7-02-03306	Widener/JJ
	Mod Plan filed 10/10; d/e # 16, 17		
	Trustee report, OBJ and showcause: Dismiss/convert filed 10/3, d/e # 15 <i>contd fr 11/13</i>		
	Objection: Greenpoint Credit LLC serv.agt for BankAmerica Housing (Laura Hale)		
	Filed 11/18; d/e # 24		
	Motion for valuation: 1995 R-ANEL Lakeside Mobile Home: Greenpoint Credit		
	filed 10/18; d/e # 19		

Abingdon Calendar - 11/26/02

1:00 A. M. - CONFIRMATION HEARINGS

Timoney	CAMILLA BROWN-chl3	7-00-03444	Widener/SO
---------	--------------------	------------	------------

*—further modif of plan filed 11/19; scheduled conf hrg on 1/8 @ 1:00*_____

Mod Plan filed 10/10; d/e # 48; Mot to Modify after confirmation; d/e # 49; and amendment to schedules I & J d/e# 50; notice of hrg d/e # 51

Objection: to Plan #2: USA/Rural Housing Serv, Dept of Agr (Eckert) filed 10/18; #53
Trustee w/Report and Show Cause on Dismissal [d/e # 54]

Motion # 2: Relief—filed 11/6 [d/e # 55]

United States of America (Eckert) v. Debtor & Trustee

—ORDER of 11/22 dismissed on movant’s motion

1:30 P. M. - MISCELLANEOUS

Lamie	CHARLES & TIFFANY WISE-chl3	7-02-04184	Widener/AF
	Motion of Debtors for Turnover of Property filed 11/14; d/e # 13 (no a/p filed ?)		
	Objection: Highlands Union Bank (Hutton) filed 11/20; d/e # 16		

2:00 P. M. - MISCELLANEOUS

Bowman	STEVEN BURKS - Ch. 7	7-02-03683	Wick/PR
	Motion # 2: Relief—filed 10/23 [d/e # 14, 18]		
	Ford Motor Credit Co. (Laura Hale) v. Debtor & Trustee		
	—ORDER (Agreed) entered 11/14 granting relief		

Largen	MICHAEL CHAPPELL-chl3	7-01-03806	Widener/JJ
	Motion #1: Relief - filed 11/4; d/e # 41, 44		
	Ford Motor Credit Co (Eason) v. debtor & trustee		
	—agreed order in transit (Eason)		

Motion #2: Relief from co-debtor stay; filed 11/4; d/e # 43, 46

Ford Motor Credit Co (Eason) v. Michael A. Chappell & Deborah Chappell, co-debtor, and trustee

—no objection, order/notice self-executing

2:30 P. M. - TRIAL

Widener	JAMES CARVER -ch7	7-01-05314	CallahanVS
	Motion of U S. Trustee to Dismiss Case filed 5/21, d/e # 22, 23, 24 (Garber)		
	<i>Contd by agreement from 10/16</i>		
	—Ord to be tendered by U. S. Trustee to withdraw Motion		